



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No : 09/544,349
Applicant : Bornhorst et al.
Filed : April 6, 2000
Title : Food Product Method of Preparation

TC/A.U. : 1761
Examiner : Corbin, A.

Docket No. : GMI5282USA
Customer No.: 27137

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TERMINAL DISCLAIMER

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, General Mills, Inc., a corporation of the State of Delaware having a principal place of business at Number One General Mills Boulevard, Minneapolis, Minnesota, represents it is the assignee of 100% interest in both U.S. Patent No. 6,291,008, as reflected on the face of the patent, and the above application by virtue of an assignment from each of the inventors. The assignment for the present application has been executed by the inventors but not yet submitted for recordal in the U.S. Patent Office.

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Your Petitioner, General Mills, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the fully statutory term defined in 35 U.S.C. § 154 to 156 and 173 of U.S. Patent No. 6,291,008. Your Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceably only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,291,008. This agreement runs with any patent granted on this above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Petition does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of U.S. Patent No. 6,291,008 in the event that U.S. Patent No. 6,291,008 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned has reviewed documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to sign this Terminal Disclaimer on behalf of assignee.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further

that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application on any patent issuing thereon.

Respectfully submitted,



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Date: August 29, 2003
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